

United States District Court
Southern District of Texas
FILED

288

APR 25 2001

Michael N. Milby
Clerk of Court

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

COPY

RAQUEL O. RODRIGUEZ
AND JOSE L. RODRIGUEZ

VS.

RIDDELL SPORTS, INC.
RIDDELL, INC.
ALL AMERICAN SPORTS CORPORATION
D/B/A RIDDELL/ALL AMERICAN
AND CHRIS HOODMAN

§
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CIVIL ACTION NO. B-CV-96-177

RIDDELL, INC. AND ALL AMERICAN SPORTS CORPORATION SUPPLEMENT TO
THEIR MOTION TO DESIGNATE REBUTTAL WITNESSES,
TO REOPEN DISCOVERY AND FOR CONTINUANCE

TO THE HONORABLE JUDGE OF SAID COURT:

Defendant's, Riddell, Inc. and All American Sports Corporation, supplement their Motion to Designate Rebuttal Witnesses, to Reopen Discovery and for Continuance and for such says follows:

1. On April 11, 2001, Defendants' were given 15 days notice to appear for pre-trial conference on April 26, 2001 and Jury Selection April 27, 2001. This fifteen days notice was insufficient and unreasonable notice. Because of such short notice some of Defendants witnesses cannot be present for trial. In addition to the witnesses previously listed Dr. Walter Reed is unavailable for the month of May 2001. Please see the affiadvit of his assistant attached as Exhibit A.

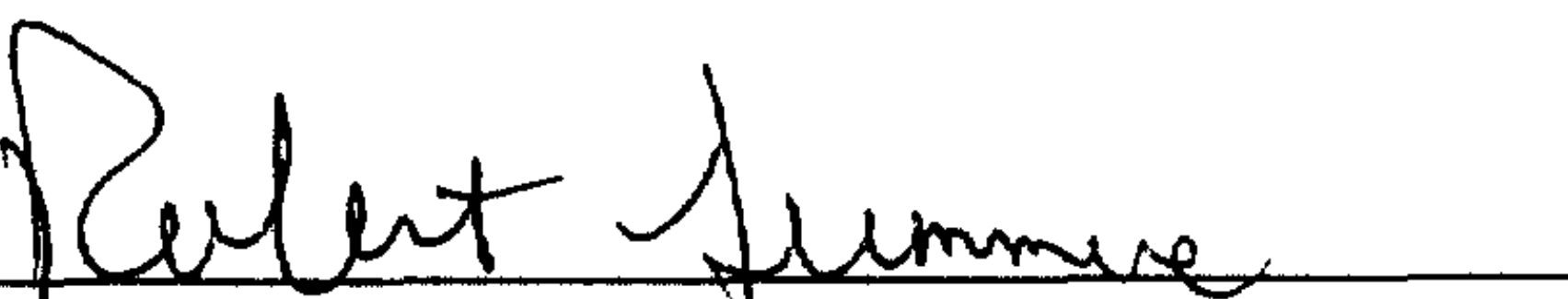
C. Conclusion

32. For this additional reason, defendants ask the court to continue this case for at least 120 days until August 2001.

Respectfully submitted,

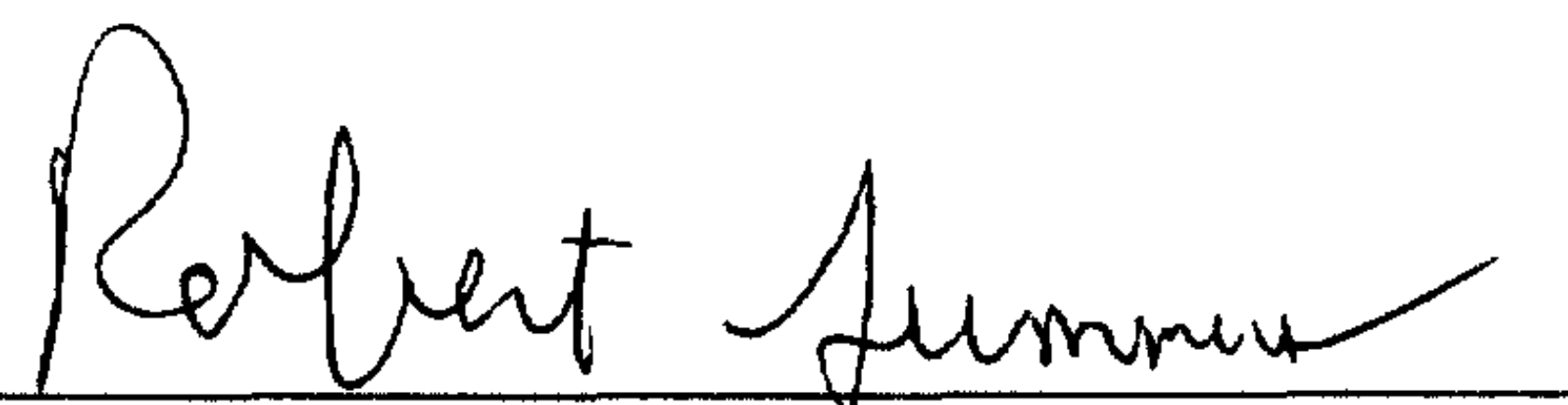
Robert L. Guerra
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BY 
ROBERT B. SUMMERS
State Bar No. 19507000
ANN H. MEGEE
State Bar No. 13902700
Attorneys for Defendants

CERTIFICATE OF CONFERENCE

This is to certify that I had a conference with Plaintiffs' counsel, Rex Blackburn, and he refused to agree to this motion.


Robert Summers

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the above was forwarded by telefax transmission and certified mail, return receipt requested to counsel of record on this the 24th day of April, 2001.

Mr. Rex Blackburn

EVANS, KEANE L.L.P.

1101 W. River Street, Suite 200
P.O. Box 959
Boise, Idaho 83701-0959
VIA FAX 208-345-3514
Telephone 208-384-1800

Mr. Mark D. Kamitomo

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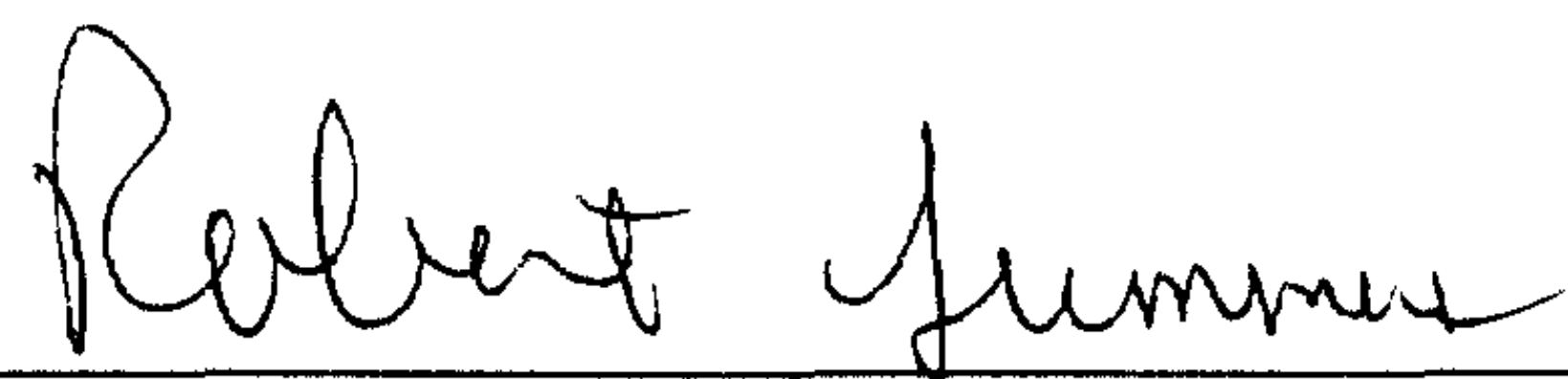
Mr. Mark T. Curry

HUGHES, WATTERS & ASKANASE, LLP

1415 Louisiana, 37th Floor
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Mr. Ramon Esparza

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Brownsville, TX 78520
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telephone 956-541-9600

A handwritten signature in cursive script that reads "Robert Summers". The signature is written in black ink and is positioned above a horizontal line.

Robert Summers

04/25/01 WED 11:41 AM 335 4853

04/25/01 01:33P P.005

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REED ENGINEERING • MECHANICAL ENGINEERING CONSULTANTS

1233 NORTH FM 620 - SUITE 103 - AUSTIN, TEXAS 78750 • (612) 335-0014 • FAX (612) 335-4853

April 25, 2001

VIA AIR MAIL FEDERAL EXPRESS

Mr. Read
THOMAS R. REED
STEN
1115
WASH.

Re: [unclear]

Dear Mr. Stephens:

I am writing in response to a call from your office stating that a new trial date has been set in the above referenced case. I have reviewed Dr. Read's calendar and the following is a list of confirmed (along with some additional items which have not been confirmed):

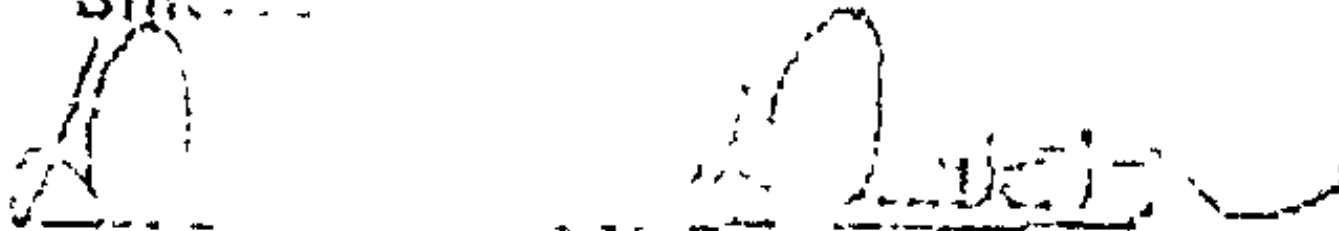
May 6
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LEC Gas v. Dr. Pepper
DEPOSITION Stephenson v. Southern Union Gas
TRIAL Seago v. Ford
DEPOSITION Roland v. Ford
LEC Frye v. Ford
DEPOSITION Gas v. Dr. Pepper
TRIAL Canales v. Untroyal

As you can see, Dr. Read has overextended himself as it is, and I really do not know when he would find time to prepare for trial testimony in your case. Please advise the judge of these scheduling conflicts and let us know of your response.

I will call you again later.

Sincerely,



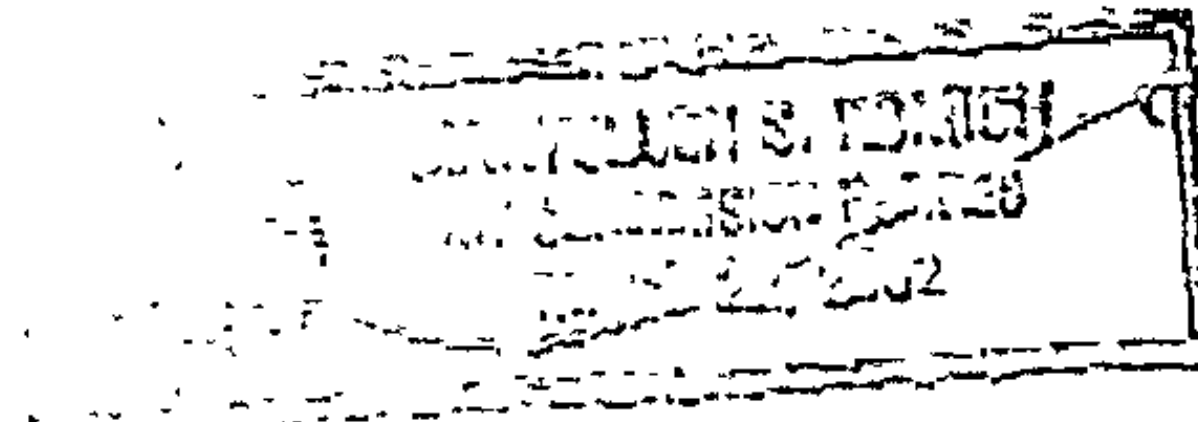
Deb
Asst. [unclear], P.D., P.E.

add

The State of Texas,
County of Travis

Before me, Michael S. Roman on this day personally
appeared Deborah G. Dawson proved to me through IDL 00487698
(description of identity card or other document) to be the person whose
name is subscribed to the foregoing instrument and acknowledged to me that
she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 25th day of April, 2001.



Notary Public in and for the State of Texas

